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12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 UNITED STATES OF AMERICA,
15 Plaintiff,
16 vs.
17 RICARDO HERNANDEZ,
18 Defendant.

19 Case No. 2:24-cr-51-RFB-BNW

20 United States' Request to File Late
21 Response to Defendant's Motion to
22 Dismiss
23 [ECF No. 26]

24 On June 5, 2024, defendant Hernandez moved this Honorable Court to find that
section 922(g)(1) is unconstitutional as applied to him, relying upon *United States v. Duarte*,
101 F.4th 657 (9th Cir. 2024). Under LCR 12-1(a)(2), the government's response was due
14 days later on June 29. Due to oversight of the undersigned AUSA, the filing deadline
was missed. The government respectfully requests leave to file its response out of time the
date of this filing.

Respectfully submitted this July 2, 2024.

JASON M. FRIERSON
United States Attorney

IT IS SO ORDERED:



/s/ Daniel J Cowhig
DANIEL J. COWHIG
Assistant United States Attorney

RICHARD F. BOULWARE, II
United States District Judge
Granted nunc pro tunc 7/2/2024
Dated 7/8/2024